

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

GENESEE VENDING, INC., et. al.,

Plaintiffs,

v.

LORILLARD TOBACCO COMPANY,

Defendant.

_____ /

CASE NUMBER: 04-60091

HON. MARIANNE O. BATTANI

NOTICE OF MOTION HEARING

You are hereby notified to appear before the Honorable Marianne O. Battani, United States District Judge, for the above proceeding on **OCTOBER 18, 2005 @ 2:00 P.M.**, in Courtroom 272, 231 W. Lafayette Blvd., **Detroit**, Michigan 48226. The following motion(s) are scheduled for hearing:

- **MOTION TO CERTIFY AS A CLASS ACTION** filed by plaintiffs on August 29, 2005.

PLEASE NOTE RESPONSE AND REPLY BRIEFS SHOULD BE FILED PURSUANT TO COURT RULE.

CERTIFICATE OF MAILING

I certify that a copy of this notice was mailed to Douglas McFadden/John Shoreman and Jack Kalmink/Mary Kalmink on this date by ordinary mail.

Date: September 12, 2005

s/Colette Motowski

Colette Motowski, secretary to

Hon. Marianne O. Battani 313-234-2625